DARBY & DARBY

Professional Corporation

RECEIVED

1 NOV 2007

Legal Staff International Division NEW YORK 7 World Trade Center 250 Greenwich Street New York, NY 10007-0042

> Tel: 212.527.7700 Fax: 212.527.7701

NEW YORK SEATTLE WASHINGTON, D.C. FRANKFURT

INTELLECTUAL PROPERTY LAW

DATE: November 1, 2007

FILE # 20793/0204682-US0:

FACSIMILE NO.	RECIPIENT AND COMPANY	CONFIRMATION WILL FOLLOW
571-273-0459	PCT Legal Dept Patent & Trademark Office	No

FROM:

Julian A. Williams

E-MAIL: jwilliams@darbylaw.com

PHONE:

917.286.2940

NO. OF PAGES:

9

(including cover page)

COMMENTS:

## PLEASE RETURN TO JULIAN A. WILLIAMS

# + IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT 212.527.7774

THE INFORMATION CONTAINED IN THIS PACSIMILE MESSAGE IS INTENDED UNLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF NOTIFIED THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HERBIDY COMMUNICATION IN STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TO YOU. THANK YOU.

PLEASE CHARGE ANY DEFICIENCY UP TO 5300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

Customer No.: 07278

Docket No.: 20793/0204682-US0

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Juergen Paul et. al.

Serial No.:

10/596,723

Filed: June 22, 2006

For: MICROSCOPE SYSTEM AND METHOD FOR OPERATING A MICROSCOPE SYSTEM

# REQUEST FOR CORRECTED FILING RECEIPT

Commissioner of Patents and Trademarks P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

- Attached is a copy of the official filing receipt received from the PTO in the above applica-1. tion for which issuance of a corrected filing receipt is respectfully requested.
- There is an error with respect to the following data, which is: 2.

 $\boxtimes$ incorrectly entered

and/or

omitted.

	Error in	Correct data			
	Applicant's name				
	Applicant's address				
	Title				
	Filing Date				
	Application Number				
	Foreign/PCT Application Re:				
$\boxtimes$	Other	Assignment For Published Patent Application Leica Microsystems CMS GmbH, Wetzlar, Germany			
		Remarks:			
	Enclosed please find a copy of the	he Application Data Sheet			
		ly requested to issue a new and correct Filing Receipt.			
		Respectfully submitted,			
Dated: N	November 1, 2007	9			
		Flynn Barrison Reg. No. 53,970 Agent for Applicant(s)			
DARBY P.O. Box	& DARBY P.C. : 5257				

D. New York, New York 10150-5257 212-527-7700



## United States Patent and Trademark Office

20793/0204682-UST UNITED STATES DEPARTMENT OF COMMERCE

United Status Putent and Trudemark Office
Address COMMISSIONER FOR PATENTS
P.O. How 1450
Alexandra, Vegina 22111-1440
WWW.nepto.gov

APPL NO. FILING OR 371(c) DATE ART UNIT FIL FEE REC'D ATTY.DOCKET NO TOT CLMS IND CLMS 10/596,723 06/22/2006 2877 2800 20820/0204682-US0 58 2

7278
DARBY & DARBY P.C.
P. O. BOX 5257
NEW YORK, NY 10150-5257

CONFIRMATION NO. 9921
CORRECTED FILING RECEIPT

\*OC000000023213275\*

Date Mailed: 04/02/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an allow and a receipt on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

#### Applicant(s)

Juergen Paul, Wiesloch, GERMANY; Robert Schuermann, Bergdietikon, SWITZERLAND; Urs Gomez, Oberembrach, SWITZERLAND;

# **Assignment For Published Patent Application**

Leica Mircosystems CMS GmbH, Wetzair, GERMANY

Power of Attorney: The patent practitioners associated with Customer Number 07278.....

# Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/53473 12/14/2004

### Foreign Applications

GERMANY 103 61 150.9 12/22/2003

If Required, Foreign Filing License Granted: 01/18/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/596,723

Projected Publication Date: 04/26/2007

Non-Publication Request: No

Early Publication Request: No

Title

Microscope system and method for operating a microscope system

**Preliminary Class** 

356

# PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the international patent and does not the same invention in member countries, but does not result in a grant of "an countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual inspecific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

# LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The

Page 3 of 3

date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to esplonage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

## **Application Data Sheet**

## Application Information

Application Type:: Regular

Subject Matter:: Utility

Suggested Group Art Unit:: N/A

CD-ROM or CD-R?:: None

Sequence submission?:: None

Computer Readable Form (CRF)?:: No

Title:: MICROSCOPE SYSTEM AND METHOD FOR

OPERATING A MICROSCOPE SYSTEM

Attorney Docket Number:: 20820/0204682-US0

Request for Early Publication?:: No

Request for Non-Publication?:: No

Suggested Drawing Figure:: 1

Small Entity?:: No

Petition included?:: No

Secrecy Order in Parent Appl.?:: No

## **Applicant Information**

Applicant Authority Type:: Inventor

Primary Citizenship Country:: Germany

Status:: Full Capacity

Given Name:: Juergen

Family Name:: Paul

City of Residence:: Wiesloch

Country of Residence:: Germany

Street of mailing address:: Johann-Philipp-Bronnerstr. 24

City of mailing address::

Country of mailing address::

Germany

D-\_- #

Page # 1 Initial 06/22/06

Postal or Zip Code of mailing address:: 69168

Applicant Authority Type:: Inventor

Primary Citizenship Country:: Switzerland

Status:: Full Capacity

Given Name:: Robert

Family Name:: Schuermann

City of Residence:: Bergdietikon

Country of Residence:: Switzerland

Street of mailing address:: Raistrasse 2

City of mailing address::

Country of mailing address::

Switzerland

Postal or Zip Code of mailing address:: Switzerland

Applicant Authority Type:: Inventor

Primary Citizenship Country:: Switzerland

Status:: Full Capacity

Given Name:: Urs

Family Name:: Gomez

City of Residence:: Oberembrach

Country of Residence:: Switzerland

Street of mailing address:: Pfungenerstrasse 28

City of mailing address:: Oberembrach

Country of mailing address:: Switzerland

Postal or Zip Code of mailing address:: CH-8425

# Correspondence Information

Correspondence Customer Number:: 07278

## Representative Information

Representative Customer Number::

07278

# **Domestic Priority Information**

Application:: This Application	Parent Application:: PCT/EP2004/053473	

## Foreign Priority Information

Country:: Germany	Application number:: 103 61 150.9	Filing Date:: 12/22/03	Priority Claimed:: Yes
		12/22/05	res

## **Assignee Information**

Assignee name::

Leica Microsystems CMS GmbH

Street of mailing address::

Ernst-Leitz-Str. 17-37

City of mailing address::

Wetzlar

Country of mailing address::

Germany

Postal or Zip Code of mailing address::

35578

11/01/2007 16:43 FAX 5712730459

USPTO/PCT LEGAL

**2**001

\*\*\*\*\*\*\*\* \*\*\* RX REPORT \*\*\* \*\*\*\*\*\*\*\*\*\*\*\*\*

#### RECEPTION OK

TX/RX NO

9089

RECIPIENT ADDRESS

212 608 6732

DESTINATION ID

ST. TIME

11/01 16:41

TIME USE

01'45

PGS.

9

RESULT

OK